



PATENT
ATTORNEY DOCKET: 041514-5151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroki KURIBAYASHI

Application No.: 09/982,982

Filed: October 22, 2001

For: MULTI-LAYER INFORMATION
RECORDING MEDIUM AND
RECORDING APPARATUS FOR
THE SAME

)
) Confirmation No.: 7217
) Group Art Unit: 2652
) Examiner: Peter V. Agustin
)
)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop RCE
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

Previously submitted:
 Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered).
 Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

Enclosed:
 Supplemental Reply
 Declaration Under 37 C.F.R. § 1.132
 Information Disclosure Statement
 PTO Form 1449 (with ___ documents attached)
 Preliminary Amendment

08/24/2005 JADDO1 00000013 09982982

01 FC:1801

790.00 IP

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

Change of Correspondence Address

Submission of Revocation of Change of Power of Attorney and Grant of New Power of Attorney

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

\$790.00
 \$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	14	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

(c) Extension of Time

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input checked="" type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

Enclosed is a check in the amount of **\$1,240.00**, representing \$790.00 for the RCE filing fee and \$450.00 for the two-month extension of time fee.

The Commissioner is hereby authorized to charge the Deposit Account No. 50-0573 in the amount of _____.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Dated: August 23, 2005

By:

Paul A. Fournier
Registration No. 41,023

Customer No. 55694

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PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114

Concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-identified application as follows. This filing is in response to the Final Office Action dated March 23, 2005. The period for response extends through August 23, 2005 by the concurrently-filed petition for a two-month extension of time and corresponding fee payment.

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